

EXHIBIT 1

DECLARATION OF JOHN P. SEURYNCK

I, John P. Seurnyck, hereby declare as follows:

1. I have personal knowledge of the facts contained in this Declaration and they are true to the best of my knowledge and belief. I am over 18 years old and competent to testify to the following.

2. I am employed by Alticor Inc. ("Alticor") in the position of Director & Associate General Counsel – IP & Product Regulatory. I have held that position for seven years. In that capacity, I provide services to Amway Corp. ("Amway") relating to intellectual property and product regulatory matters.

3. To promote and protect the Amway family of brands, Alticor has registered numerous trademarks with the United States Patent and Trademark Office.

4. These trademarks include, but are not limited to, the Nutriplant® mark.

5. Alticor owns the Nutriplant® registered trademark, U.S. Trademark Registration Number 2421752. A copy of the Certificate of Registration for the Nutriplant mark is attached to my Declaration as Exhibit 1.

6. The registration of the Nutriplant® mark is valid, subsisting, and in full force and effect.

7. Alticor and Amway actively use and market the Nutriplant® mark in commerce.

8. Alticor has licensed the use of the Nutriplant® mark to Amway.

9. Alticor has not licensed the use of the Nutriplant® mark to any other non-Alticor related entities. Amway has the right to use the Nutriplant® trademark.

10. Nutriplant® brand agricultural products include Nutriplant® AG and Nutriplant® SD.

11. Nutriplant® AG is a liquid foliar nutritional supplement—essentially a spray fertilizer. It is mixed with water and sprayed on crop leaves. Nutriplant® SD is a powdered nutritional seed treatment.

12. Amway products (including Nutriplant® products) are sold to U.S. consumers only through Amway.com and through Amway Independent Business Owners (“IBOs”), which enter into contracts with Amway to be able to sell Amway products.

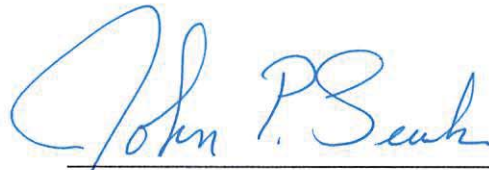
13. Alticor and Amway spend a significant amount of time, energy, and resources toward protecting the value of their brands, products, name, and reputation.

14. Due to the quality and exclusive distribution of Nutriplant® products, and because Alticor and Amway are recognized as the sources of high-quality products, the Nutriplant® mark has substantial value.

15. Yield Nation LLC has never had any relationship with Alticor or Amway and has never been authorized to use the Nutriplant® mark or to sell Amway products or services, including without limitation Nutriplant® products.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on March 10, 2021



John P. Seurnck

Int. Cl.: 1

Prior U.S. Cls.: 1, 5, 6, 10, 26, and 46

Reg. No. 2,421,752

United States Patent and Trademark Office

Registered Jan. 16, 2001

**TRADEMARK
PRINCIPAL REGISTER**

NUTRIPLANT

AMWAY CORPORATION (MICHIGAN CORPORATION)
7575 FULTON STREET, EAST
ADA, MI 49355

FIRST USE 4-1-1999; IN COMMERCE 4-1-1999.

OWNER OF U.S. REG. NOS. 402,891, 2,058,950,
AND OTHERS.

FOR: FERTILIZERS, PLANT FOODS AND PLANT
GROWTH ENHANCERS, ALL FOR AGRICULTURAL
USE, IN CLASS 1 (U.S. CLS. 1, 5, 6, 10, 26 AND
46).

SN 75-439,914, FILED 2-25-1998.

YONG KIM, EXAMINING ATTORNEY

Exhibit

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exhibitsucker.com